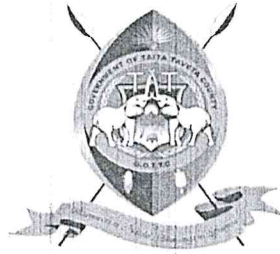


Laid by Hon. Hamis Kere, MCA
Vice Chairperson, Committee on
Public Appointments on Tuesday
4th August, 2020 at 2:47p.m

REPUBLIC OF KENYA



**COUNTY ASSEMBLY OF TAITA TAVETA
SECOND ASSEMBLY FOURTH SESSION**

REPORT OF THE COMMITTEE ON APPOINTMENTS

**REPORT ON THE VETTING OF VALENTINA MWANYASI KIRIGHA FOR
APPOINTMENT TO THE POSITION OF THE COUNTY PUBLIC SERVICE
BOARD MEMBER**

Table of Contents

1.0	PREFACE.....	1
1.1	Committee Mandate.....	1
1.2	Committee Membership.....	1
1.3	Message from His Excellency the Governor.....	1
1.4	Committal to Committee on Appointments.....	2
1.5	Committee Meetings.....	2
1.6	Acknowledgement.....	2
2.0	BACKGROUND.....	4
2.1	Establishment of the Committee.....	4
2.2	Appointment Process of County Public Service Board Member.....	4
2.3	Notification to the Public.....	4
2.4	Criteria for Vetting.....	5
2.5	Submission of Memoranda.....	5
3.0	VETTING OF THE NOMINEE.....	6
3.1	Valentina Mwanyasi Kirigha, County Public Service Board Member.....	6
3.1.1	Date and Place of Birth.....	6
3.1.2	Academic and Professional Qualifications.....	7
3.1.3	Employment Record.....	7
3.1.5	Integrity.....	7
4.0	COMMITTEE’S RECOMMENDATIONS.....	9

LIST OF ABBREVIATIONS/ACRONYMS

MCA	Member of County Assembly
CPSB	County Public Service Board
MCRB	Metropoli Credit Reference Bureau
DCI	Director of Criminal Investigations
EACC	Ethics and Anti-Corruption Commission
HELB	Higher Education Loans Board
KRA	Kenya Revenue Authority
KNEC	Kenya National Examination
K.C.P.E	Kenya Certificate of Primary Education
K.C.S.E	Kenya Certificate of Secondary Education
JKUAT	Jomo Kenyatta University of Agriculture and Technology

1.0 PREFACE

1.1 Committee Mandate

The Committee on Appointments is established pursuant to Taita Taveta County Assembly Standing Order No.187 (4) which provides that, *the Committee on Appointments shall consider, for approval by the County Assembly Public Appointments.*

1.2 Committee Membership

The Committee was constituted by the County Assembly of Taita Taveta on Tuesday, 11th December, 2018 comprising of the following Members: -

1. Hon. Maganga Meshack Maghanga, *EX-OFFICIO*, MCA, Chairperson
2. Hon. Harris Keke, **MCA**, Vice-Chairperson
3. Hon. Ronald Habel Sagurani, **MCA**, Member
4. Hon. Chrispus M. MasagaTondoo, **MCA**, Member
5. Hon. Godwin Mwamodo Kilele, **MCA**, Member
6. Hon. Rose Zighe Shingira, **MCA**, Member
7. Hon. Constance Mwandawiro, **MCA**, Member
8. Hon. Omar Ahmed, **MCA**, Member
9. Hon. Abraham Juma, **MCA**, Member
10. Hon. Godfrey Mwambi, **MCA**, Member
11. Hon. Lilian Machocho, **MCA**, Member

1.3 Message from His Excellency the Governor

Pursuant to the fulfillment of the powers conferred to the Governor by Section 58 of the County Governments Act, 2012, the Governor submitted the name of **VALENTINA MWANYASI KIRIGHA** vide letter dated Thursday, 9th July, 2020 and received on 14th July, 2020 to the County Assembly for the position of County Public Service Board Member for vetting and approval in accordance with Section 4 of the Public Appointment (County Assemblies Approval) Act, 2017.

1.4 Committal to Committee on Appointments

Pursuant to Standing Order No.43 (1), the Honorable Speaker informed the House on 14th July, 2020 that he had received the notification of nomination. The notification of nomination was therefore referred to the Committee on Appointments on 14th July, 2020 for vetting and reporting to the County Assembly within 21 days in accordance with Section 9(1) of Public Appointments (County Assemblies Approval) Act, 2017.

1.5 Committee Meetings

The nominee appeared before the Committee on Thursday 30th July, 2020 and was vetted in accordance with the provision of the Constitution of Kenya, 2010, the Public Appointments (County Assemblies Approval) Act, 2017, the County Governments Act, 2012 and the County Assembly of Taita Taveta Standing Orders on her suitability for appointment to the position of County Public Service Board Member. In total, the Committee held 3 sittings in consideration of this matter.

1.6 Acknowledgement

May I take this opportunity to thank all Members of the Committee for their input and valuable contributions during the deliberations and vetting exercise. The Committee also takes this opportunity to thank the Offices of the Speaker and the Clerk to the County Assembly of Taita Taveta for the logistical support accorded to it during the vetting exercise. The Committee is also grateful to the media for their coverage of the proceedings of the Committee, thus enhancing accountability and transparency of the vetting exercise.

On behalf of the Committee on Appointments and pursuant to Section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017, and the provisions of Standing Order No. 182 (6), it is my pleasure and duty to present to the County Assembly, the Committee's report on the vetting of Valentina Mwanyasi Kirigha for appointment to the position of County Public Service Board Member.

Thank you.

Report of the Committee on Appointments of the Second County Assembly of Taita Taveta on the Vetting of County Public Service Board Member, July, 2020

Signed

Hon. Meshack M. Maghanga
Speaker of the County Assembly of Taita Taveta County
Chairperson of the Committee on Appointments

Date *4/8/2020*

Hon. Harris Keke, MCA, Vice-Chairperson

Hon. Ronald Habel Sagurani, MCA, Member

Hon. Crispus M. MasagaTondoo, MCA, Member

Hon. Godwin Mwamodo Kilele, MCA, Member

Hon. Rose Zighe Shingira, MCA, Member

Hon. Constance Mwandawiro, MCA, Member

Hon. Omar Ahmed, MCA, Member

Hon. Abraham Juma, MCA, Member

Hon. Godfrey Mwambi, MCA, Member

Hon. Lilian Machocho, MCA, Member

2.0 BACKGROUND

2.1 Establishment of the Committee

The Committee on Appointments is established pursuant to Taita Taveta County Assembly Standing Order No.187 (4) which provides that, *the Committee on Appointments shall consider, for approval by the County Assembly, appointments under Article 179(2) (b) of the Constitution of Kenya 2010 (County Executive Committee)*. The Taita Taveta County Assembly Committee on Appointment was approved on Tuesday, 11th December 2018, afternoon Sitting (081), comprising of 11 Members.

2.2 Appointment Process of County Public Service Board Member

In accordance with the provisions of Section 58 of the County Government Act 2012, H.E. the Governor forwarded to the Speaker of the County Assembly, the nomination of **VALENTINA MWANYASI KIRIGHA** vide a letter dated 9th July, 2020, for vetting by the Committee on Appointments and consideration for approval by the County Assembly for appointment as County Public Service Board Member.

Pursuant to Standing Order No.43 (1), the Honorable Speaker informed the County Assembly on 14th July, 2020 that he had received the notification of the nomination and referred the same to the Committee on Appointments for vetting and reporting to the County Assembly within 21 days in accordance with Section 9(1) of Public Appointments (County Assemblies Approval) Act, 2017.

2.3 Notification to the Public

Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017, provides that *“any person may, prior to the approval hearing and by a written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated”*. The Clerk of the County Assembly placed an advertisement in the Taita Taveta County Assembly website, facebook page and on whatsapp group on Monday, 20th July, 2020 inviting the public to submit memoranda by way of written statements on oath (sworn affidavits) on the suitability or otherwise of the nominee in conformity with Section 7(10) of the Public

Appointments (County Assemblies Approval) Act, 2017. The submissions were to be received latest by Friday, 24th July 2020, latest by 5.00 p.m.

Pursuant to provisions of Article 196 (1) and (2) of the Constitution of Kenya, 2010, Section 7(5) of the Public Appointments (County Assemblies Approval) Act, 2017, and Taita Taveta County Assembly Standing Order No.43(3), the general public was also notified in the Taita Taveta County Assembly website, facebook page and on whatsapp group on 20th July, 2020 by the Clerk of the County Assembly of the intention of the Committee on Appointments to conduct the vetting and approval hearing of the nominee on Tuesday, 28th July, 2020. Due to unavoidable circumstance the vetting could not take place on the date given, the Clerk to the Assembly notified the nominee through a letter for a change of schedule from 28th July, 2020 to 30th July, 2020 at 10:00 a.m. at the County Assembly Chambers.

2.4 Criteria for Vetting

Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, provides that; the issues for consideration by the relevant House in relation to any nomination shall be:-

- (a) the procedure used to arrive at the nominee;
- (b) any constitutional or statutory requirements relating to the office in question; and
- (c) the suitability of the nominee for appointment proposed having regard to whether the nominee's credentials, abilities, experience and qualities meet the needs of the body to which nomination is being made.

Further, Section 7(12) of the Public Appointments (County Assemblies Approval) Act, 2017, provides that a candidate may at any time, by notice in writing addressed to the Clerk withdraw from the approval process and the candidate's nomination shall thereupon lapse.

2.5 Submission of Memoranda

Pursuant to Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017, (hereinafter referred to as "the Act", which provides that "*any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of the candidate to hold the office to which the candidate has been nominated*", the Clerk of the

County Assembly advertisement in the Taita Taveta County Assembly website, facebook page and on whatsapp group on 20th July, 2020, inviting interested members of the public to submit any representations by written statement on oath (sworn affidavit) , that they may have on the suitability of the said nominee for appointment as County Public Service Board Member by close of business on Friday, 24th July, 2020. The Committee did not receive any memorandum against the approval of the nominee.

3.0 VETTING OF THE NOMINEE

In conducting the vetting process, the Committee on Appointments examined the nominee against the following criteria, amongst others, as set out in the First Schedule of the Public Appointments

(County Assemblies Approval) Act, 2017: -

- (i) Academic qualifications
- (ii) Employment record
- (iii) Professional affiliations
- (iv) Potential conflict of interest
- (v) Knowledge of the relevant subject
- (vi) Overall suitability for the position
- (vii) Integrity
- (viii) Vision and leadership
- (ix) Expectations and key priorities

3.1 Valentina Mwanyasi Kirigha, County Public Service Board Member

Valentina Mwanyasi Kirigha appeared before the Committee on Thursday, 30th July, 2020 at 10:40 a.m. and was orally vetted pursuant to the provisions of the Constitution of Kenya, 2010, the Public Appointments (County Assemblies Approvals) Act, 2017, and the Standing Orders of the County Assembly. The nominee presented as follows, both orally and in writing: -

3.1.1 Date and Place of Birth

She was born in 1980 in Taita Taveta County.

3.1.2 Academic and Professional Qualifications

She holds a Bachelor of Science in Industrial Chemistry (First Class Honors, from Jomo Kenyatta University of Agriculture and Technology (2013). She obtained her Kenya Certificate of Secondary Education from Murray Girls High School (1999) and a Kenya Certificate of Primary Education from Werugha Primary School (1995).

3.1.3 Employment Record

From 2014 to 2018, she worked at Kaluworks Ltd Kenya as Quality Assurance Engineer. From January 2011 to April 2011, she was a chemistry teacher at Kitumbi High School in Taita Taveta County. From March 2003 to September 2007, she was a straight machine operator at Sinlane EPZ. From January 2000 to 2002, she worked as a cashier at Good Hope Vegetables and fruits in Werugha.

3.1.5 Integrity

1. She has fully complied with her tax obligations to the State as confirmed by the Kenya Revenue Authority Tax Compliance Certificate No. KRAVOI1153118019 dated 16th December 2019.
2. The nominee provided a filled self-declaration form of leadership and integrity confirming that there are no outstanding issues or ongoing investigations against her.
3. The nominee has also neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry. She has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.
4. The Director of Criminal Investigations issued the nominee with a Police Clearance Certificate Ref No. PCC-AAACINT1
5. The nominee has also been cleared by the Metropol Credit Reference Bureau Ltd via CRB Certificate No. MCRB/C105292.
6. The nominee was cleared by the Higher Education Loans Board (HELB) and was issued with a Certificate of Clearance No. HELB-07528

3.1.6 Committee Observations on Suitability of Valentina Mwanyasi Kirigha for appointment as the County Public Service Board Member

The Committee having considered the nominee's filled Questionnaire pursuant to First Schedule of Public Appointments (County Assemblies Approval) Act, 2017, her Curriculum Vitae and having heard her oral submission during the vetting exercise, made the following observations on her suitability for appointment as County Public Service Board Member:

- The nominee was presentable, eloquent and calm in her expression before the vetting Committee.
- She satisfies the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity having been cleared by the Kenya Revenue Authority, Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission and the Credit Reference Bureau as shown above.
- She has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of County Assembly or any Commission of Inquiry.
- The nominee has worked as a quality assurance engineer at Kaluworks Ltd, Kenya. She has also worked as a Chemistry teacher at Kitumbi High School. The nominee has worked at Good Hope Vegetables and fruits as a cashier therefore clearly giving her the requisite experience for this appointment.
- The nominee exhibited knowledge on the functions and powers of the County Public Service Board which include; advising the County Government on human resource management and development, advising the County Government on implementation and monitoring of the national performance management system in the counties and making recommendations to the Salaries and Remuneration Commission (SRC) on behalf of the County Government, on the remuneration, pensions and gratuities for county public service employees.
- The nominee is conversant with the values and principles of public service which she promised to uphold as stipulated in the Constitution of Kenya, 2010 Article 232(1) including high standards of professional ethics; efficient, Accountability to administrative Acts, involvement of people in policy making processes and representation of Kenya's diverse communities.

- She identified some of the challenges and drawbacks experienced in devolution which include; corruption, conflicts of interests, wrangles between the two arms of the county government, political patronage, rewarding cronyism which she promised to work in a consultative manner to ensure that the same is avoided.
- While working in Kalu works she performed functions of the internal auditor ensuring that systems are developed and compliance is observed. She said that she would come with the same expertise in the Board and ensure that all regulations are observed and sort out any challenges of compliance experienced in the management of the Board.
- She said she is a team player and will always work in collaboration with the County Assembly including providing reports as needed by the constitution.

4.0 COMMITTEE'S RECOMMENDATIONS

Pursuant to Article 179(2) (b) of the Constitution of Kenya, 2010, Section 30(2)(d) of the County Governments Act, 2012 and Taita Taveta County Assembly Standing Order 192(4), the Committee unanimously recommends that this Second County Assembly approves the nomination of **VALENTINA MWANYASI KIRIGHA** as the County Public Service Board Member.